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12 Attorneys for Plaintiff
UNITED STATES OF AMERICA
13

14 UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
15 WESTERN DIVISION

16 IN THE MATTER OF THE SEIZURE OF
17 \$70,005.00 IN U.S. CURRENCY.

2:23-CM-00177

18 JOINT STIPULATION AND REQUEST
19 TO EXTEND THE DEADLINE TO FILE
20 CIVIL FORFEITURE COMPLAINT

21 [PROPOSED ORDER LODGED
22 CONTEMPORANEOUSLY
23 HEREWITH]

24
25 It is hereby stipulated by and between the United States of America (the
26 “government”) and potential claimant Yeisuan Said Aguilar Morales (“Claimant”)
27 through his counsel Richard Barnett, as to \$70,005.00 in U.S. currency seized from
28 Claimant in Hacienda Heights, California on or about April 14, 2023 (the “seized

property”), and stipulate to the following:

1. Claimant filed a written claim in the administrative forfeiture proceedings with the Drug Enforcement Administration (“DEA”) with respect to the seized property.

2. The government asserts that DEA sent the written notice of intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. Under 18 U.S.C. § 983(a)(2)(A)–(E), the time has either expired or been tolled for any person to file a claim to the seized property. No person other than the claimants have filed a claim to the seized property as required by law in the administrative forfeiture proceedings.

3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for forfeiture against the seized property alleging that the seized property is subject to forfeiture within 90 days after a claim has been filed in the administrative forfeiture proceedings, which in this case is October 1, 2023, but the statute provides for an extension of this date by court order or upon agreement of the parties.

4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties agreed by stipulation to extend the time in which the United States is required to file a complaint for forfeiture against the seized property and/or to obtain an indictment alleging that the seized property is subject to forfeiture, so that the parties may determine whether a resolution is appropriate without the government having to initiate a judicial forfeiture action, and in doing so conserve claimant’s limited resources and preserve judicial economies.

5. The parties request and agree by this stipulation that the deadline by which the United States shall be required to file a complaint for forfeiture against the seized property and/or obtain an indictment alleging that the seized property is subject to forfeiture be extended from October 1, 2023, to October 31, 2023.

6. Claimant knowingly, intelligently, and voluntarily gives up any rights they may have under 18 U.S.C. § 983(a)(3)(A)–(C) to require the United States to file a complaint for forfeiture against the seized property and/or to obtain an indictment alleging that the seized property is subject to forfeiture by October 1, 2023, and any rights they may have to seek dismissal of any complaint on the grounds that it was not

1 filed or returned on or before such date.

2 NOW, THEREFORE, the parties hereto, by and through their respective attorneys,
3 hereby STIPULATE AND REQUEST that the government's time to file a civil
4 forfeiture complaint and/or to obtain an indictment alleging that the seized property is
5 subject to forfeiture in connection with the seized property be extended to and including
6 October 31, 2023.

7 Dated: September 26, 2023

E. MARTIN ESTRADA
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MACK E. JENKINS
Assistant United States Attorney
Chief, Criminal Division
JONATHAN S. GALATZAN
Assistant United States Attorney
Chief, Asset Forfeiture & Recovery Section

12 /s/ James E. Dochterman

13 JAMES E. DOCHTERMAN
Assistant United States Attorney

14 Attorney for Plaintiff
15 UNITED STATES OF AMERICA

17 Dated: September 26, 2023

/s/ with permission

18 RICHARD BARNETT

19 Attorney for Claimant
20 Yeisuan Said Aguilar Morales

PROOF OF SERVICE BY E-MAIL

I am a citizen of the United States and a resident of or employed in Los Angeles County, California; my business address is the Office of United States Attorney, 312 North Spring Street, 14th Floor, Los Angeles, California 90012; I am over the age of 18; and I am not a party to the above-titled action;

On September 26, 2023, I served a copy of: **JOINT STIPULATION AND REQUEST TO EXTEND THE DEADLINE TO FILE CIVIL FORFEITURE COMPLAINT** on each person or entity named below by transmitting the document by electronic mail to the e-mail address indicated for receipt of e-mail on the date and place shown below following our ordinary office practices. Each person has given consent to receive service by e-mail.

TO: Richard M. Barnett
105 West F Street, 4th Floor
San Diego, CA 92101
richardmbarnett@gmail.com

I am readily familiar with the practice of this office for transmittal of electronic mail from a desktop computer which allows for confirmation that an e-mail message was sent on a particular day and time. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 26, 2023, at Los Angeles, California.

Luis F. Chaves

LUIS F. CHAVES
Paralegal III, FSA